

[Doc. No. 12]

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

LEWIS CRUSCO,

Plaintiff,

v.

LOCAL 804 INTERNATIONAL
ALLIANCE OF THEATRICAL STAGE
EMPLOYEES,

Defendant.

Civil No. 11-6893 (AMD)

ORDER

THIS MATTER comes before the Court by way of motion for judgment on the pleadings [Doc. Entry 12] of Defendant, Local 804 International Alliance of Theatrical Stage Employees; and the Court having considered the parties' submissions and the Court having decided this matter pursuant to FED. R. CIV. P. 78; and for the reasons stated in the Memorandum Opinion dated September 28, 2012;

IT IS on this 28th day of September 2012,

ORDERED that the motion [Doc. Entry 12] of the Defendant, Local 804 International Alliance of Theatrical Stage Employees, for judgment on the pleadings pursuant to FED. R. CIV. P. 12(c) shall be, and is hereby, **GRANTED** as to Count One and Count Two of Plaintiff's complaint and **DISMISSED WITHOUT PREJUDICE** as to Count Three; and it is further

ORDERED that Count Three shall be, and is hereby, **REMANDED** pursuant to 28 U.S.C. § 1367(c)(3) to Superior Court of New Jersey, Law Division, Camden County, for further proceedings; and it is further

ORDERED that the Clerk of the Court shall **CLOSE** this matter.

s/ Ann Marie Donio
ANN MARIE DONIO
United States Magistrate Judge